

STATE ETHICS COMMISSION
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STATE OF SOUTH CAROLINA STATE ETHICS COMMISSION

FOR COMMISSION USE ONLY:
CASE NUMBER
C 2022-058

COMPLAINT FORM

COMPLAINANT: State Ethics Commission
ADDRESS: 201 Executive Center Drive
Suite 150
Columbia, SC 29210
TELEPHONE NUMBER: (803) 253-4192

RESPONDENT: James G. Jones, Sr.
ADDRESS: [REDACTED]
TELEPHONE NUMBER: (843) 862-1778
TITLE: Former Councilmember – City of McColl

Section 8-13-1120, SC Code Ann., 1976, as amended, requires certain officials to file a Statement of Economic Interests prior to assuming the duties of the office. Records in the State Ethics Commission indicate that the Respondent was required to file the 2019 Statement of Economic Interests in November 2019.

Respondent was reminded of the filing requirement by a certified letter dated January 11, 2022 as described in the attached. To date, no properly completed 2019 Statement of Economic Interests has been received. All in violation of Section 8-13-1120, SC Code Ann., 1976, as amended.

If there is a finding of probable cause, the following documents become public record: the complaint, the response (if any) by respondent, and the notice of hearing. If a hearing is to be held, the final order and all exhibits become public record. If no hearing is held following a finding of probable cause, the final disposition of the matter becomes public record.

STATE OF SOUTH CAROLINA
COUNTY OF Richland

Personally appeared before me Meghan L. Walker who, first being duly sworn, says that she has read and knows the contents of the above complaint and that the allegations contained therein, are true and correct to the best of her own knowledge, except for those matters therein based upon information and belief, and as to those she believes them to be true.

Sworn to and subscribed before me this
3rd day of June, 2022

[REDACTED]

Meghan L. Walker, Executive Director

[REDACTED]
Notary Public for South Carolina
My Commission expires 01/22/26

SEC-7 (Revised 3/2022)

REPLY TO: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210 (803)253-4192
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STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
Complaint C2022-058)
James G. Jones, Sr.)
Respondent.)
State Ethics Commission)
Complainant.)

BEFORE THE STATE ETHICS COMMISSION

NOTICE OF HEARING

The State Ethics Commission has determined that there is probable cause pursuant to Section 8-13-320(10)(i), Code of Laws, South Carolina, 1976, as amended, to support the allegations made in the above-captioned complaint. The Commission will convene a formal hearing into the matter in accordance with Section 8-13-320(10)(i) & (j), Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.) on Thursday, December 15, 2022 at 9:30 a.m. at the Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegation will be heard:

COUNT ONE
FAILURE TO FILE STATEMENT OF ECONOMIC INTERESTS
SECTION 8-13-1110, S.C. CODE ANN., 1976, AS AMENDED

That James G. Jones, Sr., former McColl Town Council Member, did in Richland County, fail to file a 2019 Statement of Economic Interests upon assuming his official responsibilities as a Council Member, in violation of Section 8-13-1110.

You have the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. This hearing will be open to the public as required by Section 8-13-320(10)(j), Code of Laws, South Carolina,

1976, as amended. The procedures to be followed are set forth in the Administrative Procedures Act, Section 1-23-10, et seq., Code of Laws, South Carolina, 1976 as amended the State Ethics Act, Section 8-13-100, et seq., Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.).

A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.



Meghan L. Walker, Executive Director
State Ethics Commission

Dated this 20th day,
of September 2022.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT James G. Jones, Sr., 401 McCormick Avenue, McColl, SC 29570 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 22nd day of September 2022, by CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED, appropriate postage affixed, and a return address clearly indicated on said envelope.


Rachael O'Bryan, Administrative Assistant

State Ethics Commission

(803) 253-4192

Columbia, South Carolina

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)
IN THE MATTER OF:)
COMPLAINT C2022-058)
State Ethics Commission,)
Complainant,)
James G. Jones, Sr.)
Respondent.)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on June 3, 2022. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against James G. Jones, Sr. (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing. Prior to the call of the case, Respondent agreed to the following:

STATEMENTS OF FACT

1. Respondent was elected to the McColl Town Council in a runoff election held on November 19, 2019 and assumed his official duties shortly thereafter.
2. Respondent did not file a Statement of Economic Interests (SEI) prior to assuming his official duties.

In a January 11, 2022 certified letter, the Commission notified Respondent of his failure to timely file a SEI prior to taking oath of office in November 2019.

According to the United States Postal Service, the certified letter was delivered to Respondent's address of record on January 14, 2022 at 12:29 p.m.

5. On January 19, 2022, a staff member from the Non-Compliance Division spoke to the Respondent and his spouse. The staff member explained Respondent's 2019 SEI still needed to be filed. Respondent was thereafter transferred to a staff member in the Disclosure Division

for assistance with filing.

6. Respondent still did not file his 2019 SEI.
7. On January 24, 2022, late-filing penalties began to accrue at \$10 per day.
8. On February 3, 2022, late-filing penalties began accruing at \$100 per day.
9. On July 25, 2022, Respondent came into compliance by filing his 2019 SEI. At the time Respondent came into compliance, he had accrued \$5,000 in late-filing penalties.

CONCLUSIONS OF LAW

Based upon the Statements of Fact, the Commission concludes, as a matter of law:

1. At all times relevant, Respondent was a “public official” pursuant to Section 8-13-100(27).

Therefore, the Commission has personal and subject matter jurisdiction.

2. Section 8-13-1110 provides, in relevant part:

No public official, regardless of compensation, and no public member or public employee as designated in subsection (B) may take the oath of office or enter upon his official responsibilities unless he has filed a statement of economic interests in accordance with the provisions of this chapter with the appropriate supervisory office . . .

3. Section 8-13-1510(A) provides:

Except as otherwise specifically provided in this chapter, a person required to file a report or statement under this chapter who files a late statement or report or fails to file a required statement or report must be assessed a civil penalty as follows: (1) a fine of one hundred dollars if the statement or report is not filed within five days after the established deadline provided by law in this chapter; and (2) after notice has been given by certified or registered mail that a required statement or report has not been filed, a fine of ten dollars per calendar day for the first ten days after notice has been given, and one hundred dollars for each additional calendar day in which the required statement or report is not filed, not exceeding five thousand dollars.

4. Section 8-13-130 allows the Commission to “levy an enforcement or administrative fee on a person who is in violation” of the Ethics Act.

DISCUSSION

The Commission found probable cause to charge Respondent with one (1) count of violating Section 8-13-1110 for failing to timely file his 2019 SEI upon assuming his official duties. Through this Consent Order, Respondent acknowledges he violated the Ethics Act when he failed to timely file the required SEI. As mitigation, Respondent states that 2019 was his first and only foray into politics and that he received no education about his filing requirements prior to filing for office. Respondent further states that he suffered a fall several months ago and, since that time, has struggled with physical pain and memory issues. Respondent further states that his health issues have caused a severe financial strain on his family and seeks financial leniency if possible.

DISPOSITION

1. The Commission hereby finds Respondent in violation of one (1) count of Section 8-13-1110.
2. The Commission hereby adopts the Statements of Fact, Conclusions of Law, Discussion, and Disposition as agreed upon by the Respondent.

THEREFORE, the Commission hereby issues a written warning and orders the Respondent to pay the Commission, within one (1) year from receipt of this Order, a reduced late-filing penalty of \$200 and an administrative fee of \$200, for a total of \$400. The remaining \$4,800 in accrued late-filing penalties is hereby waived.

By executing this Consent Order, Respondent understands that he is not only admitting to violations of the Ethics Act, but also confessing to a judgment of \$400 (less any money paid to the Commission) in the event he does not make full and timely payment as provided for in this Order. In that event, the Commission shall file a Judgment against Respondent in the Clerk of Court's

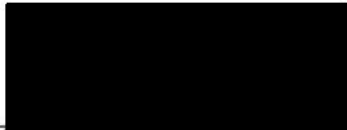
Office in the County of Respondent's last known residence. Upon said filing, the Clerk shall enter this Order in the amount of \$400 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 23rd DAY OF November 2022.

STATE ETHICS COMMISSION



SCOTT E. FRICK, CHAIR



JAMES G. JONES, SR.
RESPONDENT